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PTO/US/06 (2-95)
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NEW UTILITY PATENT APPLICATION TRANSMITTAL

(to be used for new applications only)

Attorney Docket Number

DWE/BURKE#1

First Named Inventor

BURKE, Edward A.

Total Pages in this Submission

17 + P.C.

APPLICATION ELEMENTS

Notice: Checklist items mentioned under Application Elements section construct a new utility patent application. Please refer to MPEP Sections 508, 509, (37CFR 1.77, 1.83, 35 USC 111, 112, 113) for detailed explanation regarding completeness of an original patent application.

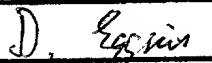
1. Fee Transmittal Form (prescribed filing fee(s))
2. Specification
 - Title of the Invention
 - Cross References to Related Applications (if applicable)
 - Statement Regarding Federally-sponsored Research/Development (if applicable)
 - Reference to Microfiche Appendix (if applicable)
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if drawings filed)
 - Detailed Description
 - Claim or Claims
 - Abstract of the Disclosure
3. Drawing(s) (when necessary as prescribed by 35 USC 113)
4. Executed Declaration
5. Genetic Sequence Submission (if applicable, all must be included)
 - Paper Copy
 - Computer Readable Copy
 - Statement Verifying Identical Paper and Computer Readable Copy

ACCOMPANYING APPLICATION PARTS

6. Assignment Papers
7. Certified Copy of Priority Document(s) (if foreign priority is claimed)
8. Computer Program in Microfiche
9. English Translation Document (if applicable)
10. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
11. Petition Checklist and Accompanying Petition
12. Preliminary Amendment
13. Proprietary Information
14. Return Receipt Postcard
15. Small Entity Statement(s)
16. Additional Enclosures (please identify below):

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	D.W. EGGINIS
Signature	
Date	Nov 17 1999

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Application Number	Class	Independent Claims
Date of Receipt	GAU	Total Claims
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**STATEMENT CLAIMING SMALL ENTITY STATUS
37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR****Docket Number (Optional)
DWE/BURKE#1**Applicant, Patentee, or Identifier: BURKE, Edward A.

Application or Patent No.: _____

Filed or Issued: _____

Title: PORTABLE EMBLEM

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

the specification filed herewith with title as listed above.
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 the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

No such person, concern, or organization exists.
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Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Edward A. BURKE

NAME OF INVENTOR



Signature of Inventor

Date

NAME OF INVENTOR

Signature of Inventor

Date

NAME OF INVENTOR

Signature of Inventor

Date

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(c))—SMALL BUSINESS CONCERN**Docket Number (Optional)
DWE/BURKE#1

Applicant, Patentee, or Identifier: BURKE, Edward A.
 Application or Patent No.: _____
 Filed or Issued: _____
 Title: PORTABLE EMBLEM

I hereby state that I am

the owner of the small business concern identified below;
 an official of the small business concern empowered to act on behalf of the concern identified below.

NAME OF SMALL BUSINESS CONCERN tfcn (The Fabric Communication Network)ADDRESS OF SMALL BUSINESS CONCERN 2044 COMMERCE PARK DRIVE THORNTON
, Ontario, Canada. L0L 2N0

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR Part 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization having any rights in the invention is listed below:
 no such person, concern, or organization exists.
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Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

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NAME OF PERSON SIGNING Edward A. BURKETITLE OF PERSON IF OTHER THAN OWNER PRESIDENTADDRESS OF PERSON SIGNING 2044 COMMERCE PARK DRIVE. THORNTON?On. L0SIGNATURE  DATE Nov 18/99

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PORTABLE EMBLEM

BACKGROUND OF THE INVENTION

1. FIELD OF THE INVENTION

This invention is directed to a portable emblem, and in particular to a visually prominent advertising emblem in readily assembled, knock-down format suitable for lightweight pre-packaging.

2. DESCRIPTION OF THE PRIOR ART

Modern commercial practice relies heavily upon the presentation of trademarks and other attention-riveting representative symbols before the general public. For example, many such symbols comprise inflated balloon forms that are tethered above an enterprise, as an attention-getting device. Other symbols may be in the form of signs, even billboards, erected upon the roofs of buildings, for the same purpose.

Many of these prior-art emblems have significant drawbacks, such as in the case of balloons the requirement of providing a compressor or other inflation device, and an energy source to drive the compressor. In the case of hoarding or billboards, these require either an extensive base and free-standing supporting frame, or the provision of guy-wires and their associated anchors, for roof-top locations.

In addition to the prime cost of the emblem and its supporting ancillaries, the prior art emblems mostly are also expensive to transport, and their location and erection is labour-intensive, and therefor costly.

While on a one-off basis these factors may appear somewhat insignificant, on a national basis, for a prominent business, the cumulative costs can be significant.

SUMMARY OF THE INVENTION

The present invention provides a visually prominent display emblem having a tensioned emblem surface; first mounting attachment means for securing an upper portion of the emblem; second mounting attachment means for securing a lower portion of emblem; and tensioning means to tension the emblem surface between the first and the second attachment means, to maintain the emblem surface in a substantially unwrinkled condition.

The aforesaid emblem is pole mounted, at least one of the mounting attachment means being mounted upon the pole.

The display emblem may be mounted upon a portable stand, wherein the pole is detachably mounted upon the stand.

The display emblem may be mounted upon a fixed standard, such as a lamp standard.

The display emblem tensioned emblem surface may be an imprinted cloth surface, preferably a knitted fabric that is resistant to creasing.

The display emblem may be a three-dimensional, enlarged simulation of an article, such as a paper drinking cup.

Another display emblem could be a torch, of the olympic type.

The display emblem may be used in combination with a cantilevered support mast, the mast being mounted upon a portable base, the base incorporating separable ballast, to provide a light-weight base structure with enhanced transportability.

The base structure may consist of a framework having separable members for assembly with paving slabs into a substantially rigid unitary ballasted assembly, having a stub mast projecting upwardly therefrom to receive the mast in mounted relation thereon.

The base structure may comprise a light-weight plastic container having a mast receptacle therein, to receive the mast in supported relation therewith, the container having access and capacity for the insertion of locally available ballast material therein.

The base structure framework may have a first longitudinal member, two separate side members, each member including at least one underlying transverse plate, a unifying plate overlying the members, in bolted relation therewith, and closure members removably secured to the outer end of each the members, in use to constrain adjoining paving slabs in unitary, rigid relation with the framework.

The present invention thus provides a visually prominent, three-dimensional display emblem of light-weight modular components that are readily manufactured, packaged, transported and assembled.

In the case of a free-standing embodiment the subject emblem has base components for use with locally available ballast, by which the emblem display is anchored. The base components may comprise frame members that assemble in conjunction with a number of standard patio paving slabs, upon which a mast portion of the display emblem is erected in cantilevered, free-standing relation. The paving slabs in combination with the assembled frame members constitute a heavy, rigid base of predetermined lateral extent, to stabilize the display emblem against overturning. The modular frame members are of comparatively short length, to facilitate convenient, low-cost packaging, while being readily assembled in

constraining relation with the locally procured ballasting slabs.

In another embodiment, the base of the emblem display may comprise a tub-like container, preferably of lightweight plastic, through which a mast portion of the display may extend, the container being filled with a suitable, locally available ballasting material such as sand, gravel, water or stones. The container tub preferably has a central passage, to enable threading of the display mast portion upwardly therethrough, such that the addition of ballast then effectively anchors the display against displacement and overturning under normal wind forces.

The display emblem per se may comprise a form of banner. Such a banner may be of flexible material, suited to printing upon, such as by the silk-screen process. Use of a knitted polyester fabric provides multi-directional stretch to the wall of the emblem, and substantially precludes the formation of creases that could otherwise initiate tearing.

In one embodiment, the emblem consists of a printed banner wrapped as an inverted, truncated cone in the presentation as of a large paper drinking cup, having a top rim and a bottom ring.

The bottom ring is preferably secured to the display base, and the top rim in the form of a stiff ring, is secured in spaced relation from the mast portion of the display, by way of an axially slideable spacing spider.

The spacing spider may have a central boss, with a number of radial spokes engaging the rim ring.

The boss of the spider is removably secured to the mast portion of the display by a detent that engages a spring-loaded button located at a predetermined location within the mast.

The location of the button enables the spacing spider to apply tension to the banner portion of the emblem, by way of its resilient spokes, such that the emblem appears as a giant-sized paper drinking cup, having a desired logo, name or other printed decoration upon the surface thereof.

In the case of a drinking cup emblem, the subject spider may be eccentrically inclined, with a corresponding inclination of the bottom ring, giving a representation of a paper cup inclined at a "drinking" angle.

A short length of plastic tube may be mounted as a part of the display, being suitably axially striped, as a realistic representation of a drinking straw protruding above the cup.

The subject display emblem may be of a form other than a drinking cup, such as a substantially planar

banner, which may be rotatably secured to the mast by way of a substantially horizontal swinging arm, mounted upon a simple rotational bearing, to minimize the application of wind forces against the mast. Another three dimensional emblem may be in the tubular form of a torch, such as a stylized olympic torch. Alternative three-dimensional embodiments may include beverage cans, tetra-pak (T.M.) cartons, cereal boxes and the like.

It will be understood that the following disclosure shows selected embodiments by way of example, such that one skilled in the art can readily adopt the present invention by way of other embodiments, lying within the intended scope of the present claims.

BRIEF DESCRIPTION OF THE DRAWINGS

Certain embodiments of the invention are described by way of illustration, without limitation thereto other than as set forth in the accompanying claims, reference being made to the accompanying drawings, wherein:

Figure 1 is a top perspective view of a "cup and lid" embodiment of the present invention;

Figure 2 is an exploded perspective view of component portions of a base frame of the subject display;

Figure 3 is a plan view of the base frame in assembled relation with a set of paving slabs;

Figure 4 is a side view, in partial section, of a "cup" embodiment mounted upon a lamp standard; and

Figure 5 is a perspective view of portions of the mounting attachments of the Figure 4 embodiment.

DETAILED DESCRIPTION OF THE INVENTION

Referring first to Figure 1 an emblem display 10 has a base 11, consisting of a composite cruciform frame 12, portions of which appear, together with four paving slabs 14, of which the fourth is concealed by the cup-emblem 16. The frame 12 serves to hold the slabs 14 in securely assembled relation.

A mast 18, cantilevered upwardly from the base 11, carries a spider assembly 20 adjacent its upper end.

The spider assembly 20 has a series of resilient tension rods 22 extending radially outwardly to engage in axially positioning relation a stiff ring 24 that constitutes the top rim of the cup-emblem 16.

The bottom rim portion 26 of the cup-emblem 16 is internally clamped to the frame 12, to hold the cup-emblem 16 in secured relation upon the base 11. The resilient rods 22 apply upward tensioning force to the rim ring 24, to tension the display 10 such that the fabric wall 28 of the emblem is held in tensioned relation. Use of a knitted polyester fabric provides multi-directional stretch to the wall 28 of the

cup-emblem 16, and substantially precludes the formation of creases that could otherwise initiate tearing.

The fabric wall 28 of the cup-emblem 16 is imprinted with a desired message, trademark or the like

A simulated lid 29 may be solid, or of flexible plastic with a draw string in the rim to secure it to the cup emblem 16, where it conceals the spider assembly 20.

Turning to Figures 2 and 3, the frame 12 has a main member 30 and two side arms 32. These three members are of channel section, to receive slide-nuts 34 in entered slidable relation within the section.

The outer ends of the members 30, 32 each has a closure bracket 36 secured in place by a bolt 38 engaging a slide nut 34, located within the respective channel section. Each slide nut 34 has a positioning spring 42 coiled beneath it and holding the grooved upper surface of the slide nut 34 pushed upwardly against the downturned inner edges of the respective channel section. The frame members 30, 32 each has laterally extending foot-pads 44 secured to their respective undersides and located adjacent their outer ends, upon which rest the slabs 14. A square plate 45 secured beneath the main member 30 supports the inner corners of the four slabs 14.

A base plate 46 having a stub mast 47 extending upwardly therefrom is bolted at its corners to the underlying members of frame 12, by means of bolts 38 and slide-nuts 34, serving to unify the frame 12 by securing the side arm members 32 to the main member 30.

Assembly of the base 11, by assembling elements of the frame 12, and positioning the slabs 14, followed by installation of the closure brackets 36 provides a rigid, ballasted structure, to receive the mast 18 in slidably mounted relation upon the stub-mast 47.

A plastic tube 48 (Figure 1) may be mounted upon the top end of the mast 18, in inclined relation as the representation of a drinking straw.

Referring to Figure 4, a lamp standard 50 has a three-dimensional emblem 52 in the form of an olympic style torch mounted upon the standard 50 in spaced relation from the ground. The emblem 52 has a formed peripheral cover 53 similar to the above described fabric wall 28 of the cup emblem.

The emblem 52 has a stiff upper peripheral ring 54, supported by way of a spider assembly 56 with resilient tension rods 58 that exert an upward resilient loading against the ring 54.

The spider assembly 56 supports a flame representation 60 that surrounds the standard 50.

A bottom handle portion of the emblem 52 has an enclosing disc 62, to which the fabric cover 53 is

attached.

Referring to Figure 5, the upper spider assembly 56 comprises four segments 66 secured to the sides of the standard 50 by way of a clamping ring 68. The clamping ring 68 may comprise a metal-band clamp of the type known as a Jubilee (T.M.) clamp. Other forms of clamp, such as a hook and loop (T.M."Velcro") band may prove feasible.

A lower assembly 70 in inverted relation comprises four segments 66' secured by a clamping ring 68 located at the top of the assembly 70, and serves to maintain a bottom tensioning disc 72 of the emblem 52 in predetermined spaced relation from the upper spider assembly 56, so as to maintain the cover 53 in a tensioned condition, by way of the tension rods 58.

In the case of a simple, flag-like planar banner, use of the above-disclosed support system enables the banner to be suspended in a tensioned condition. The use of a simple bearing, preferably at the top support, enables the banner to readily weather-vane, such that the wind forces acting upon the system are minimized and the banner display is dynamic, while avoiding the severe drawback of the banner enwrapping its supporting mast or standard.

CLAIMS

1. A visually prominent display emblem having a tensioned emblem surface; first mounting attachment means for securing an upper portion of said emblem; second mounting attachment means for securing a lower portion of said emblem; and tensioning means to tension said emblem surface between said first and said second attachment means, to maintain said emblem surface in a substantially unwrinkled condition.

2. The display emblem as set forth in Claim 1, wherein said emblem is pole mounted, at least one said mounting attachment means being mounted upon said pole.

3. The display emblem as set forth in Claim 2, wherein said emblem is mounted upon a portable stand, wherein said pole is detachably mounted upon said stand.

4. The display emblem as set forth in Claim 2, wherein said emblem is mounted upon a fixed standard.

5. The display emblem as set forth in Claim 4, wherein said fixed standard is a lamp standard.

6. The display emblem as set forth in Claim 1, wherein said tensioned emblem surface is an imprinted cloth surface.

7. The display emblem as set forth in Claim 1, wherein said cloth surface is a knitted fabric that is resistant to creasing.

8. The display emblem as set forth in Claim 7, wherein said cloth surface knitted fabric is polypropylene.

9. The display emblem as set forth in Claim 1, wherein said emblem is a three-dimensional, enlarged simulation of an article.

10. The display emblem as set forth in Claim 9, wherein said article is a drinking cup.

11. The display emblem as set forth in Claim 9, wherein said article is a torch.

12. The display emblem as set forth in Claim 1, in combination with a cantilevered support mast, said mast being mounted upon a portable base, said base incorporating separable ballast, to provide a light-weight base structure with enhanced transportability.

13. The combination as set forth in Claim 12, said base structure consisting of a framework having separable members for assembly with paving slabs into a substantially rigid unitary ballasted assembly, having a stub mast projecting upwardly therefrom to receive said mast in mounted relation thereon.

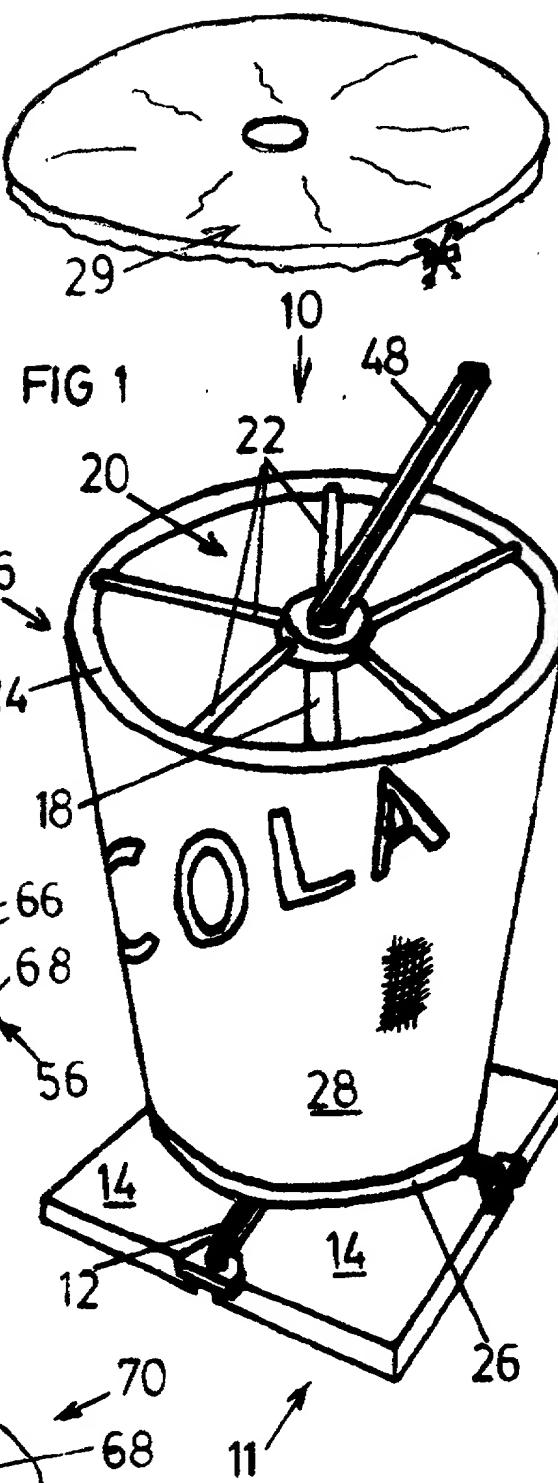
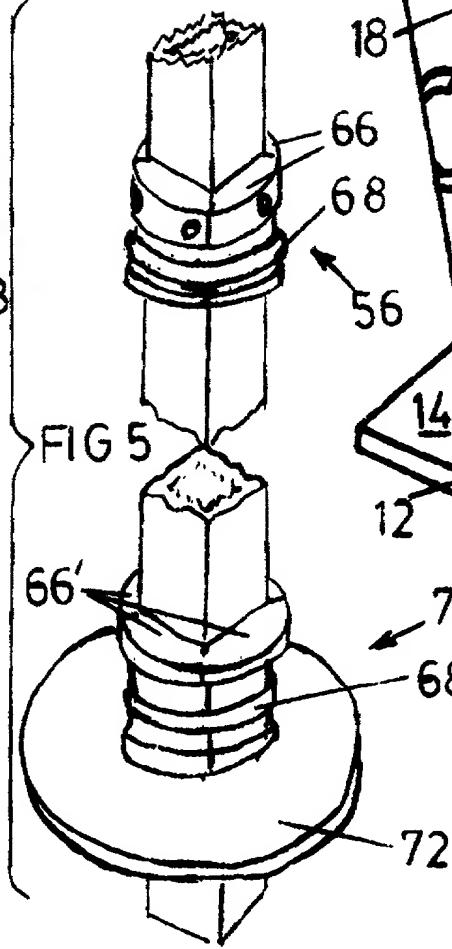
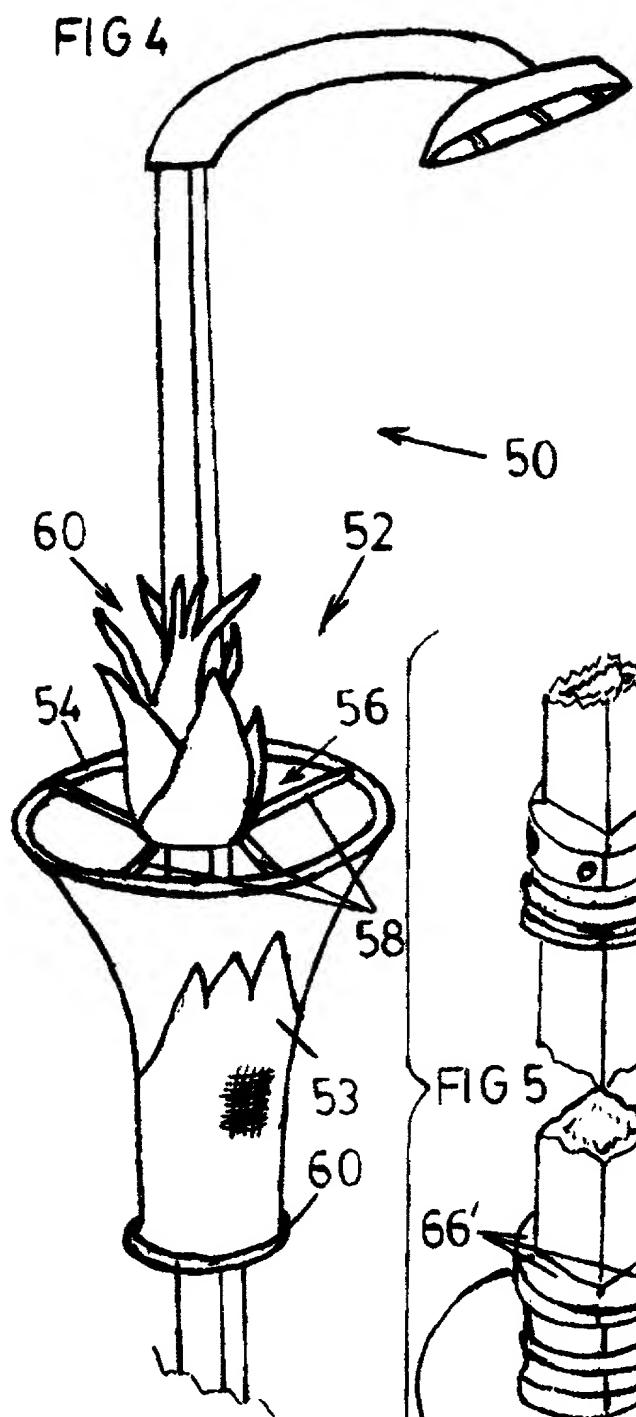
14. The combination as set forth in Claim 12, said base structure comprising a light-weight plastic container having a mast receptacle therein, to receive said mast in supported relation therewith, said container having access and capacity for the insertion of locally available ballast material therein.

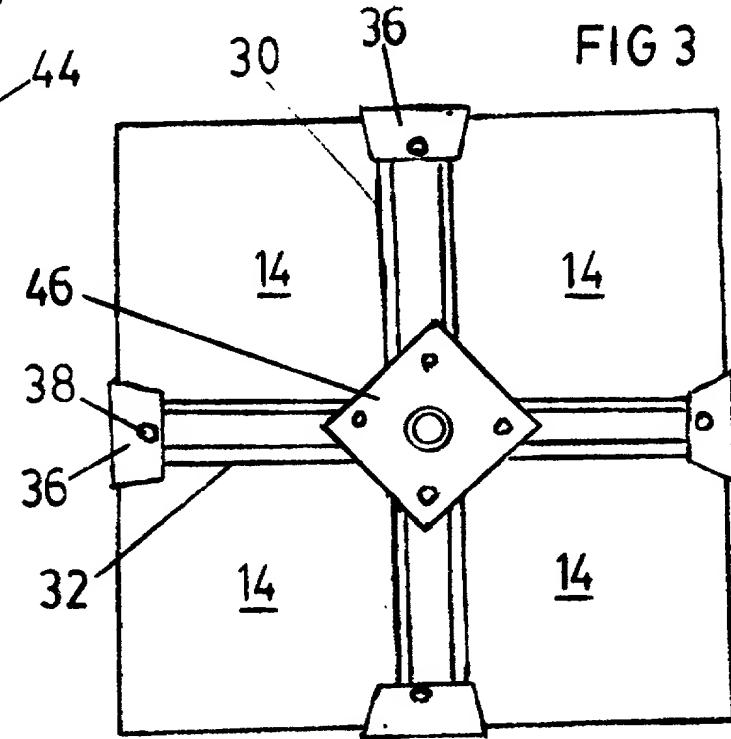
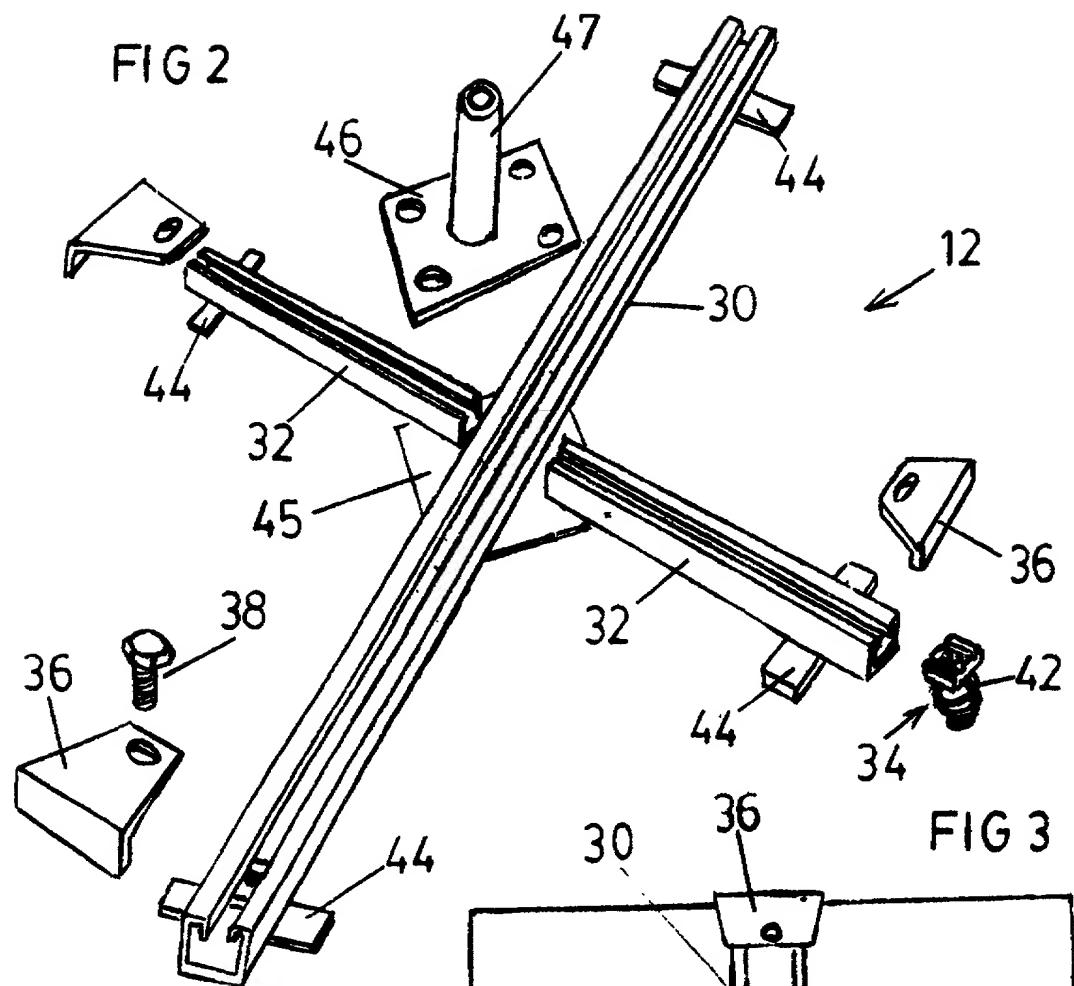
15. The combination as set forth in Claim 12, said base structure framework having a first longitudinal member, two separate side members, each said member including at least one underlying transverse plate, a unifying plate overlying said members, in bolted relation therewith, and closure members removably secured to the outer end of each said member, in use to constrain adjoining paving slabs in unitary, rigid relation with said framework.

16. The display emblem as set forth in Claim 1, in combination with a cantilevered support mast, said Support mast consisting of a lamp standard.

ABSTRACT

Lightweight advertising emblems that are readily knocked down into compact packages are mounted upon light standards or upon free-standing masts which use bases that incorporate local ballasting agents such as paving stones, gravel, sand, stones or water. The emblems have a display surface which may be planar, or may be wrapped to form a three-dimensional object, such as a giant sized paper drinking cup, complete with straw, an olympic style torch or other representation. The display surface is preferably of knitted material such as a polyester fabric, that may be printed upon by a silk-screen process, and is highly resistant to creasing. In the case of planar, banner-like displays, the mounting may include a rotary bearing, to permit weathervaning of the banner, for minimum wind resistance and dynamic display.





DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

Declaration Submitted with Initial Filing

Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number	DWE/BURKE#1
First Named Inventor	BURKE Edward A..
COMPLETE IF KNOWN	
Application Number	/
Filing Date	
Group Art Unit	
Examiner Name	

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PORTABLE EMBLEM

the specification of which

(Title of the Invention)

is attached hereto
OR

was filed on (MM/DD/YYYY) as United States Application Number or PCT International

Application Number and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(e) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES <input type="checkbox"/> NO <input type="checkbox"/>
			<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

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DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT International application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

Additional U.S. or PCT International application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label here
 OR
 Registered practitioner(s) name/registration number listed below

Name	Registration Number	Name	Registration Number
Douglas W. EGGINIS	21,175		

Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: Customer Number or Bar Code Label OR Correspondence address below

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Country	Telephone	(705)726-1975		
	Fax	(705)726-7341		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:	<input type="checkbox"/> A petition has been filed for this unsigned inventor						
Given Name (first and middle if any)		Family Name or Surname					
Edward Allen		BURKE					
Inventor's Signature						Date	
Residence: City	UTOPIA	State	On.	Country	CANADA	Citizenship	
Post Office Address	#13 TRILLIUM LANE						
Post Office Address	R.R.#1 UTOPIA						
City	UTOPIA	State	On.	ZIP	LOM 1 TO	Country	CANADA

Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.